



City of Johnson City Tennessee

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BOARD OF ZONING APPEALS CITY OF JOHNSON CITY, TENNESSEE

Minutes of the Meeting of
May 14, 2013

The Board of Zoning Appeals held its meeting on May 14th at 9:00 a.m. in the City Commission Chambers of the Municipal and Safety Building.

Members Present

Jeff Benedict, Chairman
Steve Meroney
Jamie Povlich
Tim O'Neill,

Staff Present

Steve Neilson, Development Coordinator

Mr. Benedict called the meeting to order.

Minutes

The Minutes of the April 9th called 12, 2013 meeting were considered for approval.

MOTION: Meroney

To approve the minutes of the April 9, 2013 meeting subject to a minor amendment.

SECOND: Povlich

VOTE: Approved 4-0

Case No. 769-5

Mr. Neilson indicated that this was a variance request to the side yard setbacks. The petitioner, Mr. Marvin Carter, is proposing to create a 4-lot 15.43 acre subdivision. Currently, there is a 105,100 square foot building located on the property. Ferguson's Enterprises and A1 Restaurant Equipment are currently located in the building. The petitioner intends to subdivide the building into two lots and create two additional lots. The petitioner is requesting a variance where the proposed property line runs through the building and along the north side of the building.

He indicated that this is a relatively common practice to subdivide buildings in the commercial districts where there are no side yard setbacks. It is less common to subdivide buildings in industrial districts where there are side yard setbacks. In the past, the Board has approved similar

requests based on the fact that it is an existing condition which would have no impact on surrounding properties. Any new additions to the building would be required to meet setbacks.

Mr. Neilson indicated that in order to justify any variance, a special circumstance or condition must exist. Staff feels that this is somewhat of a unique situation in that this is a subdivision of an existing building which would have no impact on surrounding properties. He then recommended approval of the request.

Mr. Carter spoke in favor of this request.

MOTION: Povlich To approve this variance request

SECOND: Meroney

VOTE: Approved 4-0.

There being no further business, the meeting adjourned at 9:13 a.m.

APPROVED:

Jeff Benedict, Chairman
Board of Zoning Appeals